

June 20, 2006

June Twentieth

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The second regular June Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, T. Wayne Oakes, Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (9).

Council Member-elect Adam J. Tomer was also present.

Staff Members present were: City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, City Attorney W. Clarke Whitfield, Jr., and City Clerk/Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Chief of Police Philip Broadfoot, Finance Director Barbara Dameron, Community Development Director Jerry Fischer, Human Resources Director Andrea Haley, Community Development Coordinator Anne Moore, Management Analyst David Parrish, Parks, Recreation, and Tourism Director Bill Sgrinia, Deputy Public Works Director/City Engineer Kent Shelton and Budget Director Cynthia Thomasson.

Mayor Hamlin presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Ruby Archie offered the Invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Hamlin recognized Fraternal Order of the Police (FOP) #36 President Danny Cassidy and Gracie Gunnell. Ms. Gunnell announced that a fundraiser presented by the Danville FOP would be held at Dan Daniel Park Softball Field on July 8, 2006 from 1 to 5 P.M. She advised the Danville Police Department and the Pittsylvania County Sheriff's Office would be competing in a charity softball game to raise funds for the DARE and CYCLE Programs. Ms. Gunnell advised Congressman Virgil Goode would be a special guest during the festivities and Pittsylvania County Circuit Court Clerk H. F. Haymore, Jr. would be umpiring the games.

Mr. Cassidy and Ms. Gunnell encouraged Council Members and the general public to attend the event.

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COMMUNICATIONS FROM VISITORS

Douglas McKnight, a Stokesland Avenue resident, appeared to inquire as to why an off-duty police officer could be paid twice by the City. Mr. McKnight stated he was referring to a police officer who has another job with the city while off-duty and being paid for both by the city. He said there were many people out of work in Danville and felt it was unfair for one employee to be paid for two jobs with the city. Mr. McKnight wondered why the officer's second job could not be given to someone out of work.

City Manager Gwaltney explained the officer has a part-time job with a company that is doing contract work for the city and the officer was on that company's payroll. He said the City only pays him for the work he performs as a city police officer.

MINUTES

Upon Motion by Council Member Archie and second by Council Member Daniels, Minutes of the June 6, 2006 Council Meeting were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE

Upon Motion by Vice-Mayor Williams and second by Council Member Oakes, the Budget Appropriation Ordinance No. 2006-06.01 for Fiscal Year 2006-2007 presented by its First Reading on June 6, 2006 was adopted by the following vote:

VOTE: 6-3
AYE: Archie, Castiglione, Hamlin, Oakes, Saunders, and Williams (6)
NAY: Daniels, Luther, and Smith (3).

APPOINTMENTS

Vice-Mayor Williams moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-06.28

A RESOLUTION APPOINTING DR. FRANK WICKERS AS THE PRIVATE PROVIDER REPRESENTATIVE TO THE DANVILLE-PITTSYLVANIA COMMUNITY POLICY AND MANAGEMENT BOARD.

The Motion was seconded by Council Member Castiglione and carried by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith and Williams (9)

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NAY: None (0).

Vice-Mayor Williams moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-06.29

A RESOLUTION APPOINTING BRENDA M. REDD AS THE PARENT REPRESENTATIVE TO THE DANVILLE-PITTSYLVANIA COMMUNITY POLICY AND MANAGEMENT BOARD.

The Motion was seconded by Council Member Saunders and carried by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith and Williams (9)
NAY: None (0).

AMEND CITY OF DANVILLE PERSONNEL SYSTEM - FY 2006-2007

City Manager Gwaltney stated he was advised just prior to the Council Meeting the intent in the Personnel Ordinance relating to "Educational Incentives for Employees of the Police and Fire Departments" could be misconstrued. Mr. Gwaltney recommended the the entire section be removed for clarification purposes.

Council Member Castiglione moved adoption of an Ordinance, with that section relating to "Educational Incentives for Employees of the Police and Fire Department" contained on Pages 13 and 14 removed for further review, entitled:

ORDINANCE NO. 2006-06.07

AN ORDINANCE AMENDING THE PERSONNEL SYSTEM OF THE CITY OF DANVILLE, AS AMENDED, PROVIDING FOR THE CLASSIFICATION, COMPENSATION, AND EMPLOYEE DEVELOPMENT FOR EMPLOYMENT POSITIONS OF THE CITY.

The Motion was seconded by Council Member Archie and carried by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, Smith and Williams (9)
NAY: None (0).

BUDGET AMENDMENT - FY 2006-2007 - FEDERAL & STATE MASS TRANSIT

Upon Motion by Council Member Castiglione and second by Council Member Oakes, an Ordinance entitled:

ORDINANCE NO. 2006-06.08

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AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR FEDERAL AND STATE MASS TRANSIT FUNDING FOR THE PURPOSE OF ACQUIRING AND RENOVATING THE SPRING AND UNION STREETS MASS TRANSIT FACILITY IN THE AMOUNT OF \$575,535 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$53,465 TO BE PROVIDED BY THE TRANSPORTATION FUND BALANCE AND HISTORIC MURALS OF DANVILLE FOR A TOTAL APPROPRIATION OF \$629,000

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT-FY 2006-2007-COMMUNICATIONS INTEROPERABILITY

Upon Motion by Council Member Luther and second by Council Member Daniels, an Ordinance entitled:

ORDINANCE NO. 2006-06.09

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUE TO ANTICIPATE THE RECEIPT OF FUNDS FROM THE COMMONWEALTH OF VIRGINIA COMMUNICATIONS INTEROPERABILITY GRANTS PROGRAM FOR ONE (1) GRANT IN THE AMOUNT OF \$75,000 TO BE USED TO PROCURE EQUIPMENT, TECHNOLOGY AND OTHER MATERIAL DIRECTLY RELATED TO IMPROVING THE COMMUNICATIONS ABILITY OF FIRST RESPONDERS IN THE CITY OF DANVILLE

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT - FY 2006-2007 - HUD, CDBG, & HOME FUNDS

Upon Motion by Council Member Archie and second by Council Member Castiglione, an Ordinance entitled:

ORDINANCE NO. 2006-06.10

BUDGET APPROPRIATIONS/AMENDMENT ORDINANCE FOR FISCAL YEAR 2006-2007 FOR PROJECTS TO BE OR BEING UNDERTAKEN TO IMPROVE THE DANVILLE COMMUNITY FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP FUNDS FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ESTIMATED PROGRAM INCOME FOR A TOTAL APPROPRIATION OF \$1,797,839

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

BUDGET AMENDMENT - FY 2006-2007 - RECREATION ENRICHMENT FUNDS

Upon Motion by Council Member Castiglione and second by Council Member Saunders, an Ordinance entitled:

ORDINANCE NO. 2006-06.11

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AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR FUNDS IN THE AMOUNT OF \$51,775 FOR A RECREATION ENRICHMENT PROGRAM AND THE EXPANDED SUMMER PROGRAM AND THE LOCAL IN-KIND SHARE OF \$48,559 AND APPROPRIATION OF SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

REIMBURSEMENT AGREEMENT - BECCAN RIDGE PHASE I

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-06.30

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT FOR BECCAN RIDGE, PHASE I SUBDIVISION LOTS, INCLUDING REIMBURSEMENT OF WATER MAIN CONSTRUCTION COSTS.

Vice-Mayor Williams seconded the Motion.

Council Member Smith, referring to a plat of Beccan Ridge Phase I, asked if the 15 lots connected to Country Club Drive were the only lots that would have ingress and egress on Country Club Drive for the total project.

City Engineer Kent Shelton stated the master plan for Beccan Ridge indicated Phase II would also have access to Country Club Drive. He said there would be access to West Main Street when the entire project was complete. Mr. Shelton said the master plan shows the entire project being interconnected.

Council Member Luther said portions of some of the lots were located in the flood plain. Mr. Luther asked how houses could be constructed in a flood plain. Mr. Shelton responded those portions of the lots that were closer to the street were out of the flood plain and the houses would be sited there. In response to Mr. Luther, Mr. Shelton stated the lots met all zoning and setback requirements.

In response to Mr. Smith, City Manager Gwaltney responded the matter had been discussed in a Work Session. He said when the Abreu subdivision had been discussed; the plan for the whole area was discussed.

City Engineer Shelton recalled the Planning Commission had recommended a traffic study be completed at the Memorial Drive/West Main intersection. He advised the West Piedmont Planning District was in the process of obtaining a consultant to look into the matter.

Council Member Luther recalled that he stated during a recent Work Session he would be uncomfortable voting on development in the Country Club Drive/West Main Street area until the issues

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relating to the impact on traffic could be looked at. Mr. Luther stated he could not recall viewing plans for Beccan Ridge Subdivision.

City Manager Gwaltney stated the Planning Commission had taken traffic problems under consideration during all its deliberations relating to development in that area.

The Resolution was adopted by the following vote:

VOTE: 7-2
AYE: Archie, Castiglione, Daniels, Hamlin, Oakes, Saunders,
and Williams (7)
NAY: Luther and Smith (2).

COMMUNICATIONS

There were no communications from the City Manager, Deputy City Manager and City Clerk.

City Attorney Whitfield called attention to a letter provided to Council Members by his office relating to Authority of Animal Control Officer's to Impound Unlicensed Dogs. Council Member Castiglione had requested an opinion during the last regular Council Meeting.

Mr. Whitfield reminded Council Members and citizens the first regular July Council meeting would be held on Thursday, July 6, 7:00 P.M., since Tuesday, July 4 is a holiday.

ROLL CALL

Council Member Archie gave farewell remarks to outgoing Council Member Phillip Smith. Mrs. Archie said she could not remember when their friendship was born, but since a friend is the closest thing to me there is, in more ways than one, she said it had been a blessed thing to have Phillip as a friend whom she could trust implicitly. She said Phillip would speak the honest truth to her, while others would sometimes flatter her to her face. Mrs. Archie stated it has been a great joy being a Council Member with him and to recall those times when he asked certain things about the budget. Mrs. Archie said Phillip had been relentless in seeking satisfactory answers. She said they had grown close enough to share ideas candidly during those hour-and-a-half to two-hour telephone calls. Mrs. Archie concluded by thanking him for being her friend and colleague and said she would miss him, especially during work sessions.

Council Member Castiglione said he could not list all the good things that Phillip had brought to Council. He said Phillip would put himself on the line by doing the right thing, no matter the cost. Mr. Castiglione said that Phillip had brought integrity to the Council and had been a counterpoint on issues for him. Mr. Castiglione said he had learned to appreciate differences and his

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relationship with Phillip brought new growth to him as an individual and it had been a blessing to work with Phillip.

In his remarks, Council Member Daniels stated he appreciated the fact that Council Member Smith would speak his mind, which allowed everyone to know exactly where he stood on issues. Mr. Daniels said it had meant a lot to him and he was sure the public had appreciated his candor.

Mr. Daniels thanked City Manager Gwaltney for providing information to Council Member contained in the City Code relating to abandoned and/or covered vehicles. Mr. Daniels asked that an appeals process be added to the Code, since some vehicles may be abandoned or covered due to circumstances such as, being out of work or the owner's inability to pay insurance premiums. He requested that consideration of placing an appeals process in the City Code be placed on a future Council Work Session. City Manager Gwaltney agreed to do so.

Mayor Hamlin thanked Phillip Smith for a job well done and for his dedication in making decisions that were in the best interest of the citizens of Danville. He stated he always felt comfortable when the budget or an issue involving utilities was being discussed because he could depend on Phillip to ask questions until a satisfactory answer was given.

Council Member Luther inquired about the law relating to inspection stickers for antique vehicles. He said more and more were being driven, but with no inspection stickers. Mr. Luther added that he had seen a business with its logo on the side of an antique truck driving around town with the sticker.

Mr. Daniels responded that he had an antique vehicle and no inspection sticker is required. He stated that if the antique vehicle were involved in an accident of any kind, the owner would be ticketed.

Mr. Luther commented to Phillip Smith that he had enjoyed being seated next to him during Council Meetings for the past two years. He said Phillip would leave a void that would be a challenge to the remaining Council Members, that is, the thoroughness and due diligence with which he approaches budget matters and ensuring that Council actions were worded correctly. He said Mr. Smith had set a standard that would be difficult for Council Members to carry out to the degree that Phillip had.

Council Member Oakes added that it had been a great pleasure serving and working with Mr. Smith for the past nineteen months.

Council Member Saunders said he was probably the only current Council Member who had been where Mr. Smith was, indicating the loss of a Council election. Mr. Saunders said the loss was only an extended leave of absence and it had been a pleasure working with Phillip and they would certainly meet again.

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Council Member Smith thanked everyone for their kind thoughts and stated it had been an honor to serve the people of Danville and a pleasure to serve with Council Members.

Vice-Mayor Williams commented that when he was a new Council Member, Mr. Smith had provided essential wisdom and guidance to him and the entire Council. Dr. Williams recalled that he would sit back and listen to Mr. Smith and now deceased Council Member Charles Scott discuss ideas and he appreciate the fact that Mr. Smith had such a complete understanding of how local government was supposed to work. He said Council owed him quite a lot for his service and thanked him for his friendship.

Mayor Hamlin, in his last meeting as Mayor, called for a Motion to adjourn the meeting.

Upon unanimous voice vote, the Meeting adjourned at 7:53 P.M.

MAYOR

CLERK